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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/601,679

06/24/2003

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03500.017343

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7590

03/21/2008

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EXAMINER

DICKERSON, CHAD S

ART UNIT

PAPER NUMBER

2625

MAIL DATE

DELIVERY MODE

03/21/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/601,679	<b>Applicant(s)</b> KUROTSU, NORIYOSHI	
	<b>Examiner</b> Chad Dickerson	<b>Art Unit</b> 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 1/28/2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 18-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 18-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>see attachment</u> .  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/28/2008 has been entered.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 18-29 have been considered but are moot in view of the new ground(s) of rejection. The amendment to the claims necessitated the new grounds of rejection. However, the references of Motamed '969 and Gassho '626 are still applied to all of the claims. The third reference cures any deficiencies in the previously mentioned references.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 18-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Motamed '969 (US Pat No 7081969) in view of Gassho '626 (US Pat No 7180626) and Abe '792 (US Pat No 6894792).

Re claim 18: Motamed '969 discloses an automatic print load balancing comprising:

an executing unit adapted to execute printing of a job having a first priority in preference to another job having a second priority that is lower than the first priority (**i.e. in Motamed '969, priority printing allows for certain jobs to be placed at a higher priority than others and also allows for those higher priority jobs to be printed before the other jobs. A job having a fastest setting, considered as a job with a first priority, is placed on top of the queue of a printer and printed before a job set as a background job, analogous to a job with a second or lower priority; see figs. 1-4; col. 4, lines 55-67 and col. 5, lines 1-15).**

However, Motamed '969 fails to teach a proxy processing unit adapted to, when an error is detected in a first printer, move a job stored in a first queue provided for the first printer to a second queue provided for a second printer so as to execute proxy printing and changes the moved job to have a higher priority than another job stored in the second queue, if the moved job has an earlier reception time than that other job.

However, this is well known in the art as evidenced by Gassho '626. Gassho '626 discloses a proxy processing unit adapted to, when an error is detected in a first printer, move a job stored in a first queue provided for the first printer to a second queue provided for a second printer so as to execute proxy printing (**i.e. in the system, when an error is detected by the print monitoring unit, or the printer is detected to be in**

**an error status, a print job is transferred from one print queue or a printer to another print queue of a second printing apparatus; see figs. 2-6; col. 12, lines 28 – col. 16, line 46)** and changes the moved job to have a higher priority than another job stored in the second queue **(i.e. in the system, each job has a certain priority identification data (FG1) representing the priority of printing in the system. This priority is an “A”, “B” or a “C”. These priorities are represented in all print jobs in the system. Once a job in the job transferring process arrives at the other printer's queue, the spool printing process routine occurs. The spool printing process routine involves evaluating the priority of each print job and printing the print job according to that priority. If a job in the second queue has a highest priority is transferred to another queue with a job having a standard priority of printing, then the highest priority print job will be performed first. Therefore, in this example, the print job with the highest printing priority maintains that same priority for printing; see figs. 4-6; col. 13, lines 18—col. 16, line 33).**

Therefore, in view of Gassho '626, it would have been obvious to one of ordinary skill at the time the invention was made to have the feature of a proxy processing unit adapted to, when an error is detected in a first printer, move a job stored in a first queue provided for the first printer to a second queue provided for a second printer so as to execute proxy printing and changes the moved job to have a higher priority than another job stored in the second queue in order to transfer a print job from a printer in the error status (as stated in Gassho '626 col. 12, lines 28-36).

However, the combination of Motamed '969 in view of Gassho '626 fails to teach to have a higher priority than another job stored in the queue, if the moved job has an earlier reception time than that other job.

However, this is well known in the art as evidenced by Abe '792. Abe '792 discloses to have a higher priority than another job stored in the queue, if the moved job has an earlier reception time than that other job **(i.e. Abe '792 teaches that when the printing system is in non-priority mode, the processing order of print jobs is based on the reception time; see col. 11, lines 1-40).**

Therefore, in view of Abe '792, it would have been obvious to one of ordinary skill at the time the invention was made to have the feature of to have a higher priority than another job stored in the queue, if the moved job has an earlier reception time than that other job incorporated in the system of Motamed '969, modified by the features of Gassho '626 disclosed above, in order to determine the processing order of print jobs based on the reception time (as stated in Abe '792 col. 11, lines 1-40).

Re claim 19: The teachings of Motamed '969 in view of Gassho '626 and Abe '792 are disclosed above.

Motamed '969 discloses an apparatus according to claim 18, wherein said executing unit selects, from among jobs which have not been transmitted to a print processing unit **(i.e. in Motamed '969, the print jobs that are chosen to be executed are selected from jobs that are on the print queue that have not been transmitted to the print engine for actual printing; see figs. 1-4; col. 3, lines 1-67 and col. 4, lines 1-67 and**

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**col. 5, lines 1-15), a job having a higher priority than others of those jobs (i.e. in the system of Motamed '969, the system checks the print job setting to see if the priority is the fastest setting or the background setting. Based on the setting, the print job may be placed on the top of the queue for printing or remains at the current position of the print job; see figs. 1-4; col. 3, lines 1-67 and col. 4, lines 1-67 and col. 5, lines 1-15), reads the selected job (i.e. the print jobs have to be read by the system in order to determine their priority and to perform the process of obtaining the print job from the print queue and to transmit the print job to the printer for printing; see figs. 1-4; col. 3, lines 1-67 and col. 4, lines 1-67 and col. 5, lines 1-15), and transmits the read job to the print processing unit (i.e. once the print job is reached in the queue, the print job is sent to the printer for printing; see figs. 1-4; col. 3, lines 1-67 and col. 4, lines 1-67 and col. 5, lines 1-15).**

Re claim 20: Motamed '969 discloses a print control method comprising:

an executing step, of executing printing of a job having a first priority in preference to a job having a second priority that is lower than the first priority **(i.e. in Motamed '969, priority printing allows for certain jobs to be placed at a higher priority than others and also allows for those higher priority jobs to be printed before the other jobs. A job having a fastest setting, considered as a job with a first priority, is placed on top of the queue of a printer and printed before a job set as a background job, analogous to a job with a second or lower priority; see figs. 1-4; col. 4, lines 55-67 and col. 5, lines 1-15).**

However, Motamed '969 fails to teach a proxy processing step, of, when an error is detected in a first printer, moving a job stored in a first queue provided for the first printer to a second queue provided for a second printer so as to execute proxy printing and changing the moved job to have a higher priority than another job stored in the second queue, if the moved job has an earlier reception time than that other job.

However, this is well known in the art as evidenced by Gassho '626. Gassho '626 discloses a proxy processing step, of, when an error is detected in a first printer, moving a job stored in a first queue provided for the first printer to a second queue provided for a second printer so as to execute proxy printing **(i.e. in the system, when an error is detected by the print monitoring unit, or the printer is detected to be in an error status, a print job is transferred from one print queue or a printer to another print queue of a second printing apparatus; see figs. 2-6; col. 12, lines 28 – col. 16, line 46)** and changing the moved job to have a higher priority than another job stored in the second queue **(i.e. in the system, each job has a certain priority identification data (FG1) representing the priority of printing in the system. This priority is an “A”, “B” or a “C”. These priorities are represented in all print jobs in the system. Once a job in the job transferring process arrives at the other printer's queue, the spool printing process routine occurs. The spool printing process routine involves evaluating the priority of each print job and printing the print job according to that priority. If a job in the second queue has a highest priority is transferred to another queue with a job having a standard priority of printing, then the highest priority print job will be performed first. Therefore, in**



**this example, the print job with the highest printing priority maintains that same priority for printing; see figs. 4-6; col. 13, lines 18—col. 16, line 33).**

Therefore, in view of Gassho '626, it would have been obvious to one of ordinary skill at the time the invention was made to have the method step of a proxy processing step, of, when an error is detected in a first printer, moving a job stored in a first queue provided for the first printer to a second queue provided for a second printer so as to execute proxy printing and changing the moved job to have a higher priority than another job stored in the second queue in order to transfer a print job from a printer in the error status (as stated in Gassho '626 col. 12, lines 28-36).

However, the combination of Motamed '969 in view of Gassho '626 fails to teach to have a higher priority than another job stored in the queue, if the moved job has an earlier reception time than other job.

However, this is well known in the art as evidenced by Abe '792. Abe '792 discloses to have a higher priority than another job stored in the queue, if the moved job has an earlier reception time than other job (**i.e. Abe '792 teaches that when the printing system is in non-priority mode, the processing order of print jobs is based on the reception time; see col. 11, lines 1-40).**

Therefore, in view of Abe '792, it would have been obvious to one of ordinary skill at the time the invention was made to have the method step of to have a higher priority than another job stored in the queue, if the moved job has an earlier reception time than other job incorporated in the system of Motamed '969, modified by the features of

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Gassho '626 disclosed above, in order to determine the processing order of print jobs based on the reception time (as stated in Abe '792 col. 11, lines 1-40).

Re claim 21: The teachings of Motamed '969 in view of Gassho '626 and Abe '792 are disclosed above.

Motamed '969 discloses a method according to claim 20, wherein said executing step includes selecting, from among jobs which have not been transmitted to a print processing unit (**i.e. in Motamed '969, the print jobs that are chosen to be executed are selected from jobs that are on the print queue that have not been transmitted to the print engine for actual printing; see figs. 1-4; col. 3, lines 1-67 and col. 4, lines 1-67 and col. 5, lines 1-15**), a job having a higher priority than others of those jobs (**i.e. in the system of Motamed '969, the system checks the print job setting to see if the priority is the fastest setting or the background setting. Based on the setting, the print job may be placed on the top of the queue for printing or remains at the current position of the print job; see figs. 1-4; col. 3, lines 1-67 and col. 4, lines 1-67 and col. 5, lines 1-15**), reading the selected job (**i.e. the print jobs have to be read by the system in order to determine their priority and to perform the process of obtaining the print job from the print queue and to transmit the print job to the printer for printing; see figs. 1-4; col. 3, lines 1-67 and col. 4, lines 1-67 and col. 5, lines 1-15**), and transmitting the read job to the print processing unit (**i.e. once the print job is reached in the queue, the print job is sent to the printer for printing; see figs. 1-4; col. 3, lines 1-67 and col. 4, lines 1-67 and col. 5, lines 1-15**).

Re claim 22: Motamed '969 discloses computer readable storage medium storing a program that causes a computer to execute a print control method (see load balancing module; col. 2, lines 39-44), the method comprising:

an executing step, of executing printing of a job having a first priority in preference to a job having a second priority that is lower than the first priority (**i.e. in Motamed '969, priority printing allows for certain jobs to be placed at a higher priority than others and also allows for those higher priority jobs to be printed before the other jobs. A job having a fastest setting, considered as a job with a first priority, is placed on top of the queue of a printer and printed before a job set as a background job, analogous to a job with a second or lower priority; see figs. 1-4; col. 4, lines 55-67 and col. 5, lines 1-15).**

However, Motamed '969 fails to teach a proxy processing step, of, when an error is detected in a first printer, moving a job stored in a first queue provided for the first printer to a second queue provided for a second printer so as to execute proxy printing and changing the moved job to have a higher priority than another job stored in the second queue, if the moved job has an earlier reception time than that other job.

However, this is well known in the art as evidenced by Gassho '626. Gassho '626 discloses a proxy processing step, of, when an error is detected in a first printer, moving a job stored in a first queue provided for the first printer to a second queue provided for a second printer so as to execute proxy printing (**i.e. in the system, when an error is detected by the print monitoring unit, or the printer is detected to be in an error status, a print job is transferred from one print queue or a printer to**

**another print queue of a second printing apparatus; see figs. 2-6; col. 12, lines 28 – col. 16, line 46)** and changing the moved job to have a higher priority than another job stored in the second queue (**i.e. in the system, each job has a certain priority identification data (FG1) representing the priority of printing in the system. This priority is an “A”, “B” or a “C”. These priorities are represented in all print jobs in the system. Once a job in the job transferring process arrives at the other printer's queue, the spool printing process routine occurs. The spool printing process routine involves evaluating the priority of each print job and printing the print job according to that priority. If a job in the second queue has a highest priority is transferred to another queue with a job having a standard priority of printing, then the highest priority print job will be performed first. Therefore, in this example, the print job with the highest printing priority maintains that same priority for printing; see figs. 4-6; col. 13, lines 18—col. 16, line 33).**

Therefore, in view of Gassho '626, it would have been obvious to one of ordinary skill at the time the invention was made to have the method step of a proxy processing step, of, when an error is detected in a first printer, moving a job stored in a first queue provided for the first printer to a second queue provided for a second printer so as to execute proxy printing and changing the moved job to have a higher priority than another job stored in the second queue in order to transfer a print job from a printer in the error status (as stated in Gassho '626 col. 12, lines 28-36).

However, the combination of Motamed '969 in view of Gassho '626 fails to teach to have a higher priority than another job stored in the queue, if the moved job has an earlier reception time than other job.

However, this is well known in the art as evidenced by Abe '792. Abe '792 discloses to have a higher priority than another job stored in the queue, if the moved job has an earlier reception time than other job **(i.e. Abe '792 teaches that when the printing system is in non-priority mode, the processing order of print jobs is based on the reception time; see col. 11, lines 1-40).**

Therefore, in view of Abe '792, it would have been obvious to one of ordinary skill at the time the invention was made to have the method step of to have a higher priority than another job stored in the queue, if the moved job has an earlier reception time than other job incorporated in the system of Motamed '969, modified by the features of Gassho '626 disclosed above, in order to determine the processing order of print jobs based on the reception time (as stated in Abe '792 col. 11, lines 1-40).

Re claim 23: The teachings of Motamed '969 in view of Gassho '626 and Abe '792 are disclosed above.

Motamed '969 discloses a computer-readable medium according to claim 22, wherein said executing step includes selecting, from among jobs which have not been transmitted to a print processing unit **(i.e. in Motamed '969, the print jobs that are chosen to be executed are selected from jobs that are on the print queue that have not been transmitted to the print engine for actual printing; see figs. 1-4; col.**

**3, lines 1-67 and col. 4, lines 1-67 and col. 5, lines 1-15), a job having a higher priority than others of those jobs (i.e. in the system of Motamed '969, the system checks the print job setting to see if the priority is the fastest setting or the background setting. Based on the setting, the print job may be placed on the top of the queue for printing or remains at the current position of the print job; see figs. 1-4; col. 3, lines 1-67 and col. 4, lines 1-67 and col. 5, lines 1-15), reading the selected job (i.e. the print jobs have to be read by the system in order to determine their priority and to perform the process of obtaining the print job from the print queue and to transmit the print job to the printer for printing; see figs. 1-4; col. 3, lines 1-67 and col. 4, lines 1-67 and col. 5, lines 1-15), and transmitting the read job to the print processing unit (i.e. once the print job is reached in the queue, the print job is sent to the printer for printing; see figs. 1-4; col. 3, lines 1-67 and col. 4, lines 1-67 and col. 5, lines 1-15).**

Re claim 24: Motamed '969 discloses print system comprising:

an executing unit adapted for executing printing of a job having a first priority and placed in a queue in preference to another job placed in the queue and having a second priority that is lower than the first priority **(i.e. in Motamed '969, priority printing allows for certain jobs to be placed at a higher priority than others and also allows for those higher priority jobs to be printed before the other jobs. A job having a fastest setting, considered as a job with a first priority, is placed on top of the queue of a printer and printed before a job set as a background job,**

**analogous to a job with a second or lower priority; see figs. 1-4; col. 4, lines 55-67 and col. 5, lines 1-15);**

a proxy unit adapted for executing proxy printing such that a job for a first printer is printed in a second printer in place of the first printer **(i.e. in the system of cluster printing, errors often occur. The system is able to detect these errors and set the print job to be automatically rerouted to another printer, if the first selected printer is unable to print the print job. Therefore, the system performs the feature of the proxy unit above; see figs. 1-4; col. 3, lines 52);** and

However, Motamed '969 fails to teach a proxy processing unit adapted for, when an error is detected in the first printer, moving a job stored in a first queue provided for the first printer to a second queue provided for the second printer so as to execute proxy printing and changing the moved job to have a higher priority than another job stored in the second queue, if the moved job has an earlier reception time than that other job.

However, this is well known in the art as evidenced by Gassho '626. Gassho '626 discloses a proxy processing unit adapted for, when an error is detected in the first printer, moving a job stored in a first queue provided for the first printer to a second queue provided for the second printer so as to execute proxy printing **(i.e. in the system, when an error is detected by the print monitoring unit, or the printer is detected to be in an error status, a print job is transferred from one print queue or a printer to another print queue of a second printing apparatus; see figs. 2-6; col. 12, lines 28 – col. 16, line 46)** and changing the moved job to have a higher priority

than another job stored in the second queue (i.e. in the system, each job has a certain priority identification data (FG1) representing the priority of printing in the system. This priority is an “A”, “B” or a “C”. These priorities are represented in all print jobs in the system. Once a job in the job transferring process arrives at the other printer's queue, the spool printing process routine occurs. The spool printing process routine involves evaluating the priority of each print job and printing the print job according to that priority. If a job in the second queue has a highest priority is transferred to another queue with a job having a standard priority of printing, then the highest priority print job will be performed first. Therefore, in this example, the print job with the highest printing priority maintains that same priority for printing; see figs. 4-6; col. 13, lines 18—col. 16, line 33).

Therefore, in view of Gassho '626, it would have been obvious to one of ordinary skill at the time the invention was made to have the feature of a proxy processing unit adapted for, when an error is detected in the first printer, moving a job stored in a first queue provided for the first printer to a second queue provided for the second printer so as to execute proxy printing and changing the moved job to have a higher priority than another job stored in the second queue in order to transfer a print job from a printer in the error status (as stated in Gassho '626 col. 12, lines 28-36).

However, the combination of Motamed '969 in view of Gassho '626 fails to teach to have a higher priority than another job stored in the queue, if the moved job has an earlier reception time than that other job.



However, this is well known in the art as evidenced by Abe '792. Abe '792 discloses to have a higher priority than another job stored in the queue, if the moved job has an earlier reception time than that other job **(i.e. Abe '792 teaches that when the printing system is in non-priority mode, the processing order of print jobs is based on the reception time; see col. 11, lines 1-40).**

Therefore, in view of Abe '792, it would have been obvious to one of ordinary skill at the time the invention was made to have the feature of to have a higher priority than another job stored in the queue, if the moved job has an earlier reception time than that other job incorporated in the system of Motamed '969, modified by the features of Gassho '626 disclosed above, in order to determine the processing order of print jobs based on the reception time (as stated in Abe '792 col. 11, lines 1-40).

Re claim 25: The teachings of Motamed '969 in view of Gassho '626 and Abe '792 are disclosed above.

Motamed '969 discloses a system according to claim 24, wherein said executing unit selects, from among jobs which have not been transmitted to a printer **(i.e. in Motamed '969, the print jobs that are chosen to be executed are selected from jobs that are on the print queue that have not been transmitted to the print engine or printer (51) for actual printing; see figs. 1-4; col. 3, lines 1-67 and col. 4, line 1 - col. 5, line 15 and col. 10, lines 31 – col. 12, lines 36)**, a job having a higher priority than others of those jobs **(i.e. in the system of Motamed '969, the system checks the print job setting to see if the priority is the fastest setting or the background setting.**

**Based on the setting, the print job may be placed on the top of the queue for printing or remains at the current position of the print job; see figs. 1-4; col. 3, lines 1-67 and col. 4, lines 1-67 and col. 5, lines 1-15), reads the selected job (i.e. the print jobs have to be read by the system in order to determine their priority and to perform the process of obtaining the print job from the print queue and to transmit the print job to the printer for printing; see figs. 1-4; col. 3, lines 1-67 and col. 4, lines 1-67 and col. 5, lines 1-15), and transmits the read job to the first or second printer as the case may be (i.e. once the print job is reached in the queue, the print job is sent to the printer for printing; see figs. 1-4; col. 3, lines 1-67 and col. 4, lines 1-67 and col. 5, lines 1-15).**

Re claim 26: The teachings of Motamed '969 in view of Gassho '626 and Abe '792 are disclosed above.

However, Motamed '969 fails to teach an apparatus according to claim 18, wherein, if first and second jobs are stored in the second queue and if the moved job has an later reception time than the first job and has an earlier reception time than the second job, said proxy processing unit changes the moved job to have a higher priority than the second job and to have a lower priority than the first job.

However, this is well known in the art as evidenced by Gassho '626. Gassho '626 discloses wherein, if first and second jobs are stored in the second queue **(i.e. in the system of Gassho '626, the second queue can contain any number of print jobs before the transferred job is placed on the second queue; see figs. 4-6; col.**

**13, lines 18—col. 16, line 33)** and if the moved job has an later reception than the first job and has an earlier reception than the second job **(i.e. the moved job can be received by the other queue after the first job and before the second job in the job transferring system; see figs. 4-6; col. 13, lines 18—col. 16, line 33)**, said proxy processing unit changes the moved job to have a higher priority than the second job and to have a lower priority than the first job **(i.e. in the system, if all the same jobs have the same priority, the moment the jobs are received by the second queue, the print job is ordered in the order of when they are received. Also, when taking into account different printing priorities of each print job, a first job can have a highest priority that was already present on the second queue. This would print first if the second job placed on the queue has a standard priority and the moved job has a higher priority. Next, the moved job will print because of the higher priority than a standard priority; see figs. 4-6; col. 13, lines 18—col. 16, line 33).**

Therefore, in view of Gassho '626, it would have been obvious to one of ordinary skill at the time the invention was made to have the feature of wherein, if first and second jobs are stored in the second queue and if the moved job has an later reception than the first job and has an earlier reception than the second job, said proxy processing unit changes the moved job to have a higher priority than the second job and to have a lower priority than the first job in order to print a job according to priority (as stated in Gassho '626 col. 13, lines 18-36).

However, the combination of Motamed '969 in view of Gassho '626 fails to teach if first and second jobs are stored in the second queue and if the moved job has an later reception time than the first job and has an earlier reception time than the second job.

However, this is well known in the art as evidenced by Abe '792. Abe '792 discloses if first and second jobs are stored in the second queue and if the moved job has an later reception time than the first job and has an earlier reception time than the second job **(i.e. in the system of Abe '792, the priority of print jobs are based on the time of reception. If the time of reception feature of Abe '792 was used to combine with the printing priority setting function of Motamed '969, which is modified by the job transferring and priority printing features of Gassho '626, the above feature would be performed; see col. 11, lines 1-40).**

Therefore, in view of Abe '792, it would have been obvious to one of ordinary skill at the time the invention was made to have the feature of if first and second jobs are stored in the second queue and if the moved job has an later reception time than the first job and has an earlier reception time than the second job in order to determine the processing order of print jobs based on the reception time (as stated in Abe '792 col. 11, lines 1-40).

Re claim 27: The teachings of Motamed '969 in view of Gassho '626 and Abe '792 are disclosed above.

However, Motamed '969 fails to teach a method according to claim 20, wherein, if first and second jobs are stored in the second queue and if the moved job has an later reception time than the first job and has an earlier reception time than the second job, said proxy processing step includes changing the moved job to have a higher priority than the second job and to have a lower priority than the first job.

However, this is well known in the art as evidenced by Gassho '626. Gassho '626 discloses wherein, if first and second jobs are stored in the second queue **(i.e. in the system of Gassho '626, the second queue can contain any number of print jobs before the transferred job is placed on the second queue; see figs. 4-6; col. 13, lines 18—col. 16, line 33)** and if the moved job has an later reception than the first job and has an earlier reception than the second job **(i.e. the moved job can be received by the other queue after the first job and before the second job in the job transferring system; see figs. 4-6; col. 13, lines 18—col. 16, line 33)**, said proxy processing step includes changing the moved job to have a higher priority than the second job and to have a lower priority than the first job **(i.e. in the system, if all the same jobs have the same priority, the moment the jobs are received by the second queue, the print job is ordered in the order of when they are received. Also, when taking into account different printing priorities of each print job, a first job can have a highest priority that was already present on the second queue. This would print first if the second job placed on the queue has a standard priority and the moved job has a higher priority. Next, the moved job will print**

**because of the higher priority than a standard priority; see figs. 4-6; col. 13, lines 18—col. 16, line 33).**

Therefore, in view of Gassho '626, it would have been obvious to one of ordinary skill at the time the invention was made to have the feature of wherein, if first and second jobs are stored in the second queue and if the moved job has an later reception than the first job and has an earlier reception than the second job, said proxy processing step includes changing the moved job to have a higher priority than the second job and to have a lower priority than the first job in order to print a job according to priority (as stated in Gassho '626 col. 13, lines 18-36).

However, the combination of Motamed '969 in view of Gassho '626 fails to teach if first and second jobs are stored in the second queue and if the moved job has an later reception time than the first job and has an earlier reception time than the second job.

However, this is well known in the art as evidenced by Abe '792. Abe '792 discloses if first and second jobs are stored in the second queue and if the moved job has an later reception time than the first job and has an earlier reception time than the second job (**i.e. in the system of Abe '792, the priority of print jobs are based on the time of reception. If the time of reception feature of Abe '792 was used to combine with the printing priority setting function of Motamed '969, which is modified by the job transferring and priority printing features of Gassho '626, the above feature would be performed; see col. 11, lines 1-40).**

Therefore, in view of Abe '792, it would have been obvious to one of ordinary skill at the time the invention was made to have the feature of if first and second jobs are

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stored in the second queue and if the moved job has an later reception time than the first job and has an earlier reception time than the second job in order to determine the processing order of print jobs based on the reception time (as stated in Abe '792 col. 11, lines 1-40).

Re claim 28: The teachings of Motamed '969 in view of Gassho '626 and Abe '792 are disclosed above.

However, Motamed '969 fails to teach a method according to claim 20, wherein, if first and second jobs are stored in the second queue and if the moved job has an later reception time than the first job and has an earlier reception time than the second job, said proxy processing step includes changing the moved job to have a higher priority than the second job and to have a lower priority than the first job.

However, this is well known in the art as evidenced by Gassho '626. Gassho '626 discloses wherein, if first and second jobs are stored in the second queue **(i.e. in the system of Gassho '626, the second queue can contain any number of print jobs before the transferred job is placed on the second queue; see figs. 4-6; col. 13, lines 18—col. 16, line 33)** and if the moved job has an later reception than the first job and has an earlier reception than the second job **(i.e. the moved job can be received by the other queue after the first job and before the second job in the job transferring system; see figs. 4-6; col. 13, lines 18—col. 16, line 33)**, said proxy processing step includes changing the moved job to have a higher priority than the

second job and to have a lower priority than the first job **(i.e. in the system, if all the same jobs have the same priority, the moment the jobs are received by the second queue, the print job is ordered in the order of when they are received. Also, when taking into account different printing priorities of each print job, a first job can have a highest priority that was already present on the second queue. This would print first if the second job placed on the queue has a standard priority and the moved job has a higher priority. Next, the moved job will print because of the higher priority than a standard priority; see figs. 4-6; col. 13, lines 18—col. 16, line 33).**

Therefore, in view of Gassho '626, it would have been obvious to one of ordinary skill at the time the invention was made to have the feature of wherein, if first and second jobs are stored in the second queue and if the moved job has an later reception than the first job and has an earlier reception than the second job, said proxy processing step includes changing the moved job to have a higher priority than the second job and to have a lower priority than the first job in order to print a job according to priority (as stated in Gassho '626 col. 13, lines 18-36).

However, the combination of Motamed '969 in view of Gassho '626 fails to teach if first and second jobs are stored in the second queue and if the moved job has an later reception time than the first job and has an earlier reception time than the second job.

However, this is well known in the art as evidenced by Abe '792. Abe '792 discloses if first and second jobs are stored in the second queue and if the moved job has an later reception time than the first job and has an earlier reception time than the



**second job (i.e. in the system of Abe '792, the priority of print jobs are based on the time of reception. If the time of reception feature of Abe '792 was used to combine with the printing priority setting function of Motamed '969, which is modified by the job transferring and priority printing features of Gassho '626, the above feature would be performed; see col. 11, lines 1-40).**

Therefore, in view of Abe '792, it would have been obvious to one of ordinary skill at the time the invention was made to have the feature of if first and second jobs are stored in the second queue and if the moved job has an later reception time than the first job and has an earlier reception time than the second job in order to determine the processing order of print jobs based on the reception time (as stated in Abe '792 col. 11, lines 1-40).

Re claim 29: The teachings of Motamed '969 in view of Gassho '626 and Abe '792 are disclosed above.

However, Motamed '969 fails to teach an apparatus according to claim 24, wherein, if first and second jobs are stored in the second queue and if the moved job has an later reception time than the first job and has an earlier reception time than the second job, said proxy processing unit changes the moved job to have a higher priority than the second job and to have a lower priority than the first job.

However, this is well known in the art as evidenced by Gassho '626. Gassho '626 discloses wherein, if first and second jobs are stored in the second queue **(i.e. in**

**the system of Gassho '626, the second queue can contain any number of print jobs before the transferred job is placed on the second queue; see figs. 4-6; col. 13, lines 18—col. 16, line 33)** and if the moved job has an later reception than the first job and has an earlier reception than the second job **(i.e. the moved job can be received by the other queue after the first job and before the second job in the job transferring system; see figs. 4-6; col. 13, lines 18—col. 16, line 33)**, said proxy processing unit changes the moved job to have a higher priority than the second job and to have a lower priority than the first job **(i.e. in the system, if all the same jobs have the same priority, the moment the jobs are received by the second queue, the print job is ordered in the order of when they are received. Also, when taking into account different printing priorities of each print job, a first job can have a highest priority that was already present on the second queue. This would print first if the second job placed on the queue has a standard priority and the moved job has a higher priority. Next, the moved job will print because of the higher priority than a standard priority; see figs. 4-6; col. 13, lines 18—col. 16, line 33).**

Therefore, in view of Gassho '626, it would have been obvious to one of ordinary skill at the time the invention was made to have the feature of wherein, if first and second jobs are stored in the second queue and if the moved job has an later reception than the first job and has an earlier reception than the second job, said proxy processing unit changes the moved job to have a higher priority than the second job and to have a lower priority than the first job in order to print a job according to priority (as stated in Gassho '626 col. 13, lines 18-36).

However, the combination of Motamed '969 in view of Gassho '626 fails to teach if first and second jobs are stored in the second queue and if the moved job has an later reception time than the first job and has an earlier reception time than the second job.

However, this is well known in the art as evidenced by Abe '792. Abe '792 discloses if first and second jobs are stored in the second queue and if the moved job has an later reception time than the first job and has an earlier reception time than the second job **(i.e. in the system of Abe '792, the priority of print jobs are based on the time of reception. If the time of reception feature of Abe '792 was used to combine with the printing priority setting function of Motamed '969, which is modified by the job transferring and priority printing features of Gassho '626, the above feature would be performed; see col. 11, lines 1-40).**

Therefore, in view of Abe '792, it would have been obvious to one of ordinary skill at the time the invention was made to have the feature of if first and second jobs are stored in the second queue and if the moved job has an later reception time than the first job and has an earlier reception time than the second job in order to determine the processing order of print jobs based on the reception time (as stated in Abe '792 col. 11, lines 1-40).

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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6. Salgado (US Pat. No 6504621) discloses a system for managing resource deficient jobs in a multifunctional printing system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHAD DICKERSON whose telephone number is (571)270-1351. The examiner can normally be reached on Mon. thru Thur. 9:00-6:30 Fri. 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler Haskins can be reached on (571)-272-7406. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/C. D./

/Chad Dickerson/

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/Gabriel I Garcia/

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